

Barry R. Fischer (BF0274)  
FISCHER & MANDELL LLP  
550 Fifth Avenue, 6<sup>th</sup> Floor  
New York, New York 10036  
(212) 840-9300

Attorneys for Defendants  
*Safra National Bank of New York*  
*Banco Safra, S.A.*

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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STANTON STERLING SCHULTZ

Plaintiff,

**NOTICE OF MOTION**

vs.

Case No. 08cv02371 (RMB)

SAFRA NATIONAL BANK OF NEW YORK,  
and BANCO SAFRA, S.A.

Defendants.

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PLEASE TAKE NOTICE, upon the annexed declaration of Barry R. Fischer,  
dated July 30, 2008, and the exhibits annexed thereto, together with the Memorandum of  
Law in support of defendant's motion to dismiss, that the undersigned will move before  
this Court on September 15, 2008, before the Honorable Richard M. Berman, in  
Courtroom 21D of the United States Courthouse, 500 Pearl Street, New York, New York  
at 10:00 a.m., or as soon thereafter as counsel can be heard, for an order dismissing  
plaintiff's complaint.

Plaintiff has not affected proper service or obtained jurisdiction over Banco Safra,  
S.A., as is required under Rule 12(b)(4) and Rule 12(b)(2), respectively.

Dated: New York, New York  
July 30, 2008

Respectfully submitted,

Barry R. Fischer (BF0274)  
Fischer & Mandell LLP  
550 Fifth Avenue – 6<sup>th</sup> Floor  
New York, New York 10036  
Tel.: (212) 840-9300  
Fax: (212) 840-9323

Attorneys for Defendants  
*Safra National Bank of New York*  
*Banco Safra, S.A.*